

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
GABRIEL STEIF and EVA STEIF,

Plaintiffs,

-against-

**GREYHOUND LINES, INC. and WILLIAM LEE
HENLEY, JR.,**

Defendants.
-----X

VIA ECF

08 CV 2892 (NRB)

NOTICE OF MOTION

PLEASE TAKE NOTICE, that upon the annexed affirmation of KEVIN B. POLLAK, the annexed affidavits of Dr. Brian Greenwald and Dr. Dustin Gordon, and the annexed Memorandum of Law, the defendants' will move this Court before the Honorable Naomi Reice Buchwald, at the courthouse located at 500 Pearl Street, New York, New York on the 11th day of February, 2009 at 9:30 am or soon thereafter as counsel can be heard for an Order precluding the plaintiffs' medical expert Dr. Daniel Kuhn from testifying at the trial of this matter, as well as precluding the plaintiffs' medical expert, Dr. Mortin Finkel from testifying at the trial of this matter with respect to any testimony by Dr. Finkel that is on the same subject matters as Dr. Kuhn's testimony and/or which relies upon or is based upon any findings, conclusions or opinions of Dr. Daniel Kuhn; and granting such other and further relief as to the Court seems just and proper.

PLEASE TAKE FURTHER NOTICE, that answering papers if any, are to be served in accordance with the directives of the Honorable Naomi Reice Buchwald.

**Dated: New York, New York
February 3, 2009**

Yours, etc.,

FABIANI COHEN & HALL, LLP

A handwritten signature in black ink, appearing to read 'KBP', is written over a horizontal line.

**Kevin B. Pollak (KBP 6098)
Attorneys for Defendant
GREYHOUND LINES, INC.
and WILLIAM LEE HENLEY, JR.,
570 Lexington Avenue, 4th Floor
New York, New York 10022
(212) 644-4420**

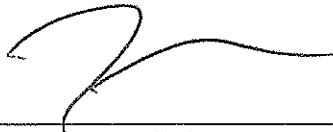
**TO: JAROSLAWICZ & JAROS, LLC
Attorneys for Plaintiffs
GABRIEL STEIF and EVA STEIF
225 Broadway - 24th Floor
New York, New York 10007
(212) 227-2780**

Gabriel Steif and Eva Steif v. Greyhound Lines, Inc. and William Lee Henley, Jr.
Index Number: 08 CV 2892
Our File Number: 818-34751

CERTIFICATE OF SERVICE

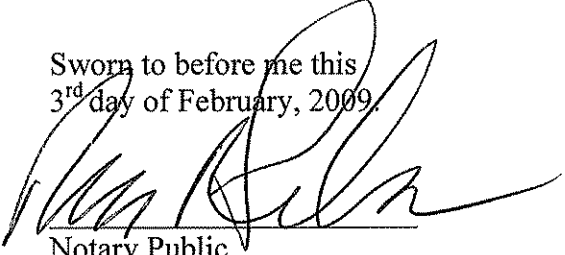
This is to certify that a copy of the foregoing **NOTICE OF MOTION**, was served via facsimile, ECF and e-mail, this 3rd day of February, 2009, upon:

JAROSLAWICZ & JAROS, LLC
Attorneys for Plaintiffs
GABRIEL STEIF and EVA STEIF
225 Broadway - 24th Floor
New York, New York 10007



Kevin B. Pollak (6098)

Sworn to before me this
3rd day of February, 2009.


Notary Public

BELKIS R. FELIU
NOTARY PUBLIC-STATE OF NEW YORK
No. 01FE6042920
Qualified In New York County
My Commission Expires September 05, 2011

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NOTICE OF MOTION

FABIANI COHEN & HALL, LLP
Attorneys for Defendants
GREYHOUND LINES, INC. and
WILLIAM LEE HENLEY, JR.
570 Lexington Avenue, 4th Floor
New York, New York 10022
(212) 644-4420

To: Attorney(s) for:
Sir(s):

PLEASE TAKE NOTICE that a _____ of which the within is a
(true) (certified) copy

[] NOTICE OF ENTRY *was duly entered in the within named court on*
2008

[] NOTICE OF SETTLEMENT *will be presented for settlement to the Hon.*
one of the judges of the within named court at the Courthouse at on , 2008 at
o'clock

Dated:

Yours, etc.,
FABIANI COHEN & HALL, LLP
570 Lexington Avenue, 4th Floor
New York, New York 10022
(212) 644-4420